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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/157,018	09/18/1998	BENJAMIN KILGORE	MS-80	1865
27662	7590	03/18/2004	EXAMINER	
LYON & HARR, LLP 300 ESPLANADE DRIVE, SUITE 800 OXNARD, CA 93036			LUU, SY D	
			ART UNIT	PAPER NUMBER
			2174	31

DATE MAILED: 03/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/157,018

Applicant(s)

KILGORE, BENJAMIN

Examiner

Sy D Luu

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-17 and 31-34 is/are allowed.
- 6) ☒ Claim(s) 1-12 and 18-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

## Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This communication is responsive to the After Final Response, filed 3/2/2004.
2. Claims 1-34 are pending in this application. Claims 1, 2, 13, 18 and 32 are independent claims. This action is made Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### *Claim Rejections - 35 USC § 103*

4. Claims 1-12 and 18-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Geller et al. ("Geller", US # 5,844,554) in view of Christeson et al. ("Christeson", US 5,926,817).

As per claims 1, 10, and 26 Geller teaches a method for dynamically displaying data values on a client computer (fig. 2; col. 7, lines 47-50; *client 12*), comprising:

receiving transmitted results, sub-items associated with the results, and rules of enforcement of sub-item combinations in a predefined format through a communications interface, wherein the communications interface is the Internet (col. 8, lines 9-17), in response to a request from the client (col. 8, lines 39-50);

processing the results in real time using the client computer in response to user adjustment of the results and the sub-item configuration on the client computer, displaying a first set of results, and dynamically displaying the processed results on a client display device (col. 8, lines 57-65); and

preventing a user from creating and encountering sub-item conflicts using the transmitted rules of enforcement containing all potential configurable conflicts between sub-items, and the rules of enforcement for sub-item combination to be processed in the background (col. 3, lines 21-39; col. 11, lines 3-11).

Geller does not teach the step of transmitting the request for information based on user-defined criteria from the client computer such that transmitted results are narrowed, limited and targeted to the information. Geller's system appears to mainly operate from a standalone computer after the configuration software and all required data values have been downloaded onto the computer, thus does not require accessing the server (Abstract; col. 7, line 40 et seq.). Christeson teaches a client-server method for decision making applications, wherein the server transmit results that are limited to an user-defined criteria from the client computer (col. 6, lines 35 et seq.). Thus, it would have been obvious to an artisan at the time of the invention to include the feature for obtaining limited results and the option for client/server platform as taught by Christeson with the method Geller's in order to provide more flexibility in the implementation of the method for dynamically display data values on the client computer, as well as to optimize the time and bandwidth in carrying out the data transmission.

Claims 2 is similar in scope to claim 1, and is therefore rejected under similar rationale.

As per claims 3-4, Geller further discloses the adjustable interface tools to comprise input boxes for adjusting criteria of associated criteria in real time as well as the interface tools being controls in a dialog box (figs. 6-7).

As per claim 5, Geller teaches the interface tools to include dynamically coupled check boxes so that designated check boxes dynamically change as a user configures conflicting

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interface tools constrained by the logical rules of enforcement (col. 11, lines 3-11; col. 15, lines 39-51; col. 17, lines 10-29).

As per claim 6, Geller discloses the GUI to have at least one graphical control for allowing the user to dynamically adjust the results and associated sub-items (fig. 7; col. 10, lines 33-36; *e.g. radio buttons and check boxes*).

As per claim 7, Geller teaches the data values to comprise pricing data for at least one object, and the associated sub-items comprise user selectable options for the objects (figs. 6-7).

As per claims 8-9, Geller teaches the interface tools to include: at least one previously selected sub-items are automatically deselected when a user selects a new sub-item which conflicts with the at least one previously selected sub-items; and at least one additional sub-items to be automatically selected when a user selects a sub-item which requires selection of the at least one additional sub-items (figs 6-7; col. 11, lines 3-11; col. 15, lines 39-50; col. 17, lines 10-29; col. 4, lines 38-67; *deselection of an item occurs inherently when another sub-item of the same option is selected, e.g. if sub-item "Standard" under option "SuspensionOptions" is currently selected, it would be deselected if sub-item "Trailer Towing Package" is subsequently selected*).

As per claim 11, Geller teaches remote processing of the results and associated sub-items to continue in response to user interaction with the results and associated sub-items on the client display device after the communications interface between the server and the client has been terminated (col. 8, lines 57-67).

As per claim 12, Geller teaches the GUI to have at least one graphical control for allowing the user to dynamically adjust the displayed data and sub-items (fig. 7; *e.g. radio buttons and check boxes*).

Claim 18 is similar in scope to claim 1, and is therefore rejected under similar rationale.

As per claim 19, Geller teaches the steps of receiving and using a transmitted control module to process the results in real time (col. 8, lines 57-67).

Claims 20-21, 23 and 25 are similar in scope to claims 6-7, 8 and 11 respectively, and are therefore rejected under similar rationale.

As per claims 22, 24 and 28-30, Geller does not explicitly disclose: (a) a warning message to be automatically displayed when a user selects a sub-item which conflicts with at least one of the sub-items already selected by the user, and a message to be automatically displayed on the client display prompting the user to select between conflicting sub-items when the user selects a sub-item that conflicts with a previously selected sub-item; and (b) the interface tools to include: input boxes that are dynamically coupled such that the input boxes dynamically change as a user adjust the associated criteria; display markers as indicia of potential sub-item conflicts; and dynamically activated dialog boxes for displaying potential sub-item conflicts, providing suggestions to resolve the conflicts and providing user interaction to resolve the conflicts. However, Official Notice is taken that these expected features are notoriously well known in the art and would have been obvious to an artisan at the time of the invention to be included in the interface tools of Geller in order to aid and visually facilitate user interaction with a constrained set of decision variables.

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As per claim 27, Geller teaches a control module stored on the server, wherein the control module is transmitted from the server to a remote client in response to a request by the client, wherein the adjustable interface option displayed on the client is adapted to communicate with the control module, and wherein the control module facilitates the adjustment by the remote client of the associated criteria confined within the transmitted rules of enforcement that causes the dynamic output to change in real time (col. 8, lines 33 et seq.).

***Allowable Subject Matter***

5. Claims 13-17 and 31-34 are allowed.
6. Claims 13, 18 and 32 are allowable over the art of record because the art of record does not disclose the recited limitations.

***Response to Arguments***

7. Applicant's arguments with respect to claims 1-12 and 18-30 have been considered but are moot in view of the new ground(s) of rejection. It is noted that, as pointed out by the Applicant, the Maggioncalda et al. ('217') reference is not prior art in light of the Declaration and Exhibit filed on 1/25/2002. The Maggioncalda reference is thus removed accordingly. The claims are now rejected in view of Christeson et al. (US 5,926,817).

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Inquires***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (703) 305-0409. The examiner can normally be reached on Monday - Thursday from 7:00 am to 4:30 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink, appearing to read 'Sy Luu', with a long, sweeping horizontal line extending to the left and a checkmark-like flourish at the end.

**SY D. LUU  
PRIMARY EXAMINER**